



Bill Number: S.B. 1406

Petersen Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

1. Repeals the requirement to register an aircraft with the Arizona Department of Transportation.
2. Repeals relevant sections of statute related to aircraft registration, including associated registration fees and license taxes.
3. Appropriates \$3,000,000 from the state General Fund to the State Aviation Fund in FY 2022 and every fiscal year thereafter.
4. Adds legislative appropriations as a funding source for the State Aviation Fund.
5. Makes conforming changes.

Amendment explanation prepared by Sarah Schneider

03/10/2021

PETERSEN FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1406
(Reference to printed bill)

1 Page 1, strike lines 2 through 44

2 Strike pages 2 and 3

3 Page 4, strike lines 1 through 8, insert:

4 "Section 1. Section 28-8201, Arizona Revised Statutes, is amended
5 to read:

6 28-8201. Definitions

7 In this article and articles 2, ~~through~~ 3 AND 5 of this chapter,
8 unless the context otherwise requires:

9 1. "Aeronaut" includes any aviator, pilot, balloonist and other
10 person participating in the operation of aircraft while in flight.

11 2. "Aircraft" includes a balloon, airplane, amphibian and craft used
12 for navigation through the air.

13 3. "Passenger" includes a person who rides in aircraft but has no
14 part in its operation.

15 4. "Seizure of aircraft" means the physical disabling or securing of
16 an aircraft by locks, chains or other mechanical devices.

17 Sec. 2. Section 28-8202, Arizona Revised Statutes, is amended to
18 read:

19 28-8202. State aviation fund; appropriation

20 A. The state aviation fund is established consisting of the
21 following:

22 1. Aviation fuel taxes or motor vehicle fuel taxes deposited by the
23 department.

1 2. Monies deposited by the department as a result of the sale of an
2 abandoned aircraft as defined in section 28-8243 or seized aircraft.

3 3. The amount of flight property tax that the department of revenue
4 has deposited pursuant to section 42-14255.

5 ~~4. Registration fees, license taxes and penalties collected pursuant
6 to article 4 of this chapter.~~

7 ~~5.~~ 4. Monies received by the department from the operation of
8 airports under this article and articles 2, ~~through~~ 3 AND 5 of this
9 chapter.

10 ~~6.~~ 5. The amount of jet fuel excise tax and jet fuel use tax that
11 the department of revenue has deposited pursuant to section 42-5353.

12 6. LEGISLATIVE APPROPRIATIONS.

13 B. On notice from the department, the state treasurer shall invest
14 and divest monies in the state aviation fund as provided by section 35-313,
15 and monies earned from investment shall be credited to the fund.

16 C. The department shall administer monies that are appropriated by
17 the legislature from the state aviation fund.

18 D. The board shall distribute monies appropriated to the department
19 from the state aviation fund for planning, design, development, acquisition
20 of interests in land, construction and improvement of publicly owned and
21 operated airport facilities in counties, incorporated cities and towns and
22 Indian reservations. The board shall distribute these monies according to
23 the needs for these facilities as determined by the board. ~~to~~ NOT more
24 than ten percent of the average annual revenue that the fund received for
25 the past three years may be awarded to any one airport in grants in any
26 fiscal year. For the purposes of this subsection, "publicly owned and
27 operated airport facility" means an airport and appurtenant facilities in
28 which one or more agencies, departments or instrumentalities of this state,
29 a city, town or county of this state or an Indian tribe or tribal
30 government holds an interest in the land on which the airport is located
31 that is clear of any reversionary interest, lien, easement, lease or other

1 encumbrance that might preclude or interfere with the possession, use or
2 control of the land for public airport purposes for a minimum period of
3 twenty years.

4 E. THE SUM OF \$3,000,000 IS APPROPRIATED FROM THE STATE GENERAL FUND
5 IN FISCAL YEAR 2021-2022 AND EACH FISCAL YEAR THEREAFTER TO THE STATE
6 AVIATION FUND FOR USE AS PRESCRIBED BY SUBSECTION D OF THIS SECTION.

7 Sec. 3. Section 28-8244, Arizona Revised Statutes, is amended to
8 read:

9 28-8244. Hearing; appeal

10 A. A person who is aggrieved by a decision made within the
11 department pursuant to this article or article 1, 3~~,4~~ or 5 of this chapter
12 may request a hearing before the director. The person shall submit a
13 written request for the hearing to the department within thirty days after
14 the decision of the department.

15 B. Except as otherwise provided in this section, the director shall
16 hold the hearing in accordance with title 41, chapter 6, article 6.

17 C. A party to the hearing before the director may appeal pursuant to
18 title 12, chapter 7, article 6.

19 Sec. 4. Heading change

20 The article heading of title 28, chapter 25, article 4, Arizona
21 Revised Statutes, is changed from "AIRCRAFT REGISTRATION AND TAXATION" to
22 "AVIATION FUEL TAX".

23 Renumber to conform

24 Page 4, line 10, after "Sections" insert "28-8321, 28-8322, 28-8323, 28-8324,
25 28-8325, 28-8326, 28-8327, 28-8328, 28-8329, 28-8330, 28-8331, 28-8332,
26 28-8334,"

27 Line 11, strike "and" insert a comma; after "28-8342" insert "and 28-8343"

28 Strike lines 12 through 34

29 Page 4, line 36, strike "Section" insert "Sections"; after "28-8345" insert ",
30 28-8346 and 28-8347"; strike "is" insert "are"

31 Strike lines 37 through 45

Senate Amendments to S.B. 1406

- 1 Page 5, strike lines 1 through 14
- 2 Rerumber to conform
- 3 Amend title to conform

WARREN PETERSEN

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03/04/2021
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C: MU